TEAMSTERS DEMOCRATIC UNION

CONVOY DISPATCH

December 1986
#66

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VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975

Drug Tests Put Innocent Teamsters' Jobs on the Line

Cover-up Exposed; Top IBT Experts Agree With TDU

TDU legal action over the freight contract drug testing provision has uncovered documents which prove that Presser ignored the warnings of top IBT officials that the tests are inaccurate and endanger the jobs of innocent Teamsters. The documents, which come to light just as the same procedures are expanding to carhaul, include memos from IBT Director of Safety and Health R.V. Durham and IBT attorneys.

What the documents also show is that the stand taken by TDU on the drug test procedures is correct and that Presser chose to impose the faulty and unjust program despite the warnings of TDU and IBT experts.

This issue of *Convoy Dispatch* focuses on the issue of drug testing so that all Teamsters can hear what the experts say, find out what the dangers are, and understand how the International Union has endangered the jobs, futures and livelihoods of thousands of Teamsters. Currently, only the freight and carhaul contracts contain the unjust procedures. Tens of thousands of other Teamsters, at UPS and other companies, should beware: the same procedure will likely be included in your contracts.

The following article outlines the main problems with drug testing, and how the International has covered them up.

Teamsters Are Fired, Rather than Rehabilitated on the First Offense

Fact: Teamsters are being summarily discharged, and labeled drug abusers, on the basis of individual test results. Nearly all other programs provide for rehabilitation, not discharge, after the first positive test result.

Cover-up: Teamster Director of Safety and Health, and IBT Trustee, R.V. Durham suggested in a memo to Walter Shea on October 4, 1984, that, "If an individual takes a DOT physical and has a problem, why not provide for him to take a leave of absence and undergo a rehabilitation program?" Nevertheless, Shea and Presser chose to implement immediate discharge on the first offense.

Tests Are Innacurate; the Most Reliable Tests Aren't Used

Fact: It is widely recognized by experts that many common prescription drugs, and some over-the-counter drugs, can produce positive urinalysis results, even when used in recommended doses. Critics and proponents of testing agree that the tests are not capable of measuring the actual effect or impairment to the person at the time the sample was taken. Experts also agree that blood tests are more accurate than urine tests, though still far from perfect (*Los Angeles Times*, October 28, 1986).

Cover-up: The IBT's Industrial Hygienist, Suzanne Kossan, wrote in an October 3, 1984, memo, "I suggest, however, that the blood confirmation be made mandatory for both probable cause cases and DOT physicals to assure reliable results." Again, Presser ignored expert advice and, as a result, blood test confirmations are not required in DOT exams.

On December 17, 1985 Kossan wrote another memo concerning a letter from TDU attorney Barbara Harvey. She wrote, "The attorney alleges that in two cases the use of prescription drugs was not taken into account by the laboratories. This is a complaint we've been hearing from many sources..."

Marijuana Positive Test Level A Third of the Military's

Fact: The freight contract test procedure uses a positive level of 30 nanograms (a nanogram is a billionth of a gram) while the U.S. military uses 100 nanograms to determine a positive test level. Marijuana can be detected "for a month or more, long after the

continued on page 10

Warnings Presser Ignored on the Dangers of Drug Testing

"I would recommend that the following be done... suspend the testing until appropriate steps are taken to assure everyone that the National Medical Services, Inc. procedures are being followed without exception... we have a serious problem on our hands and I would strongly recommend we give this matter priority attention."

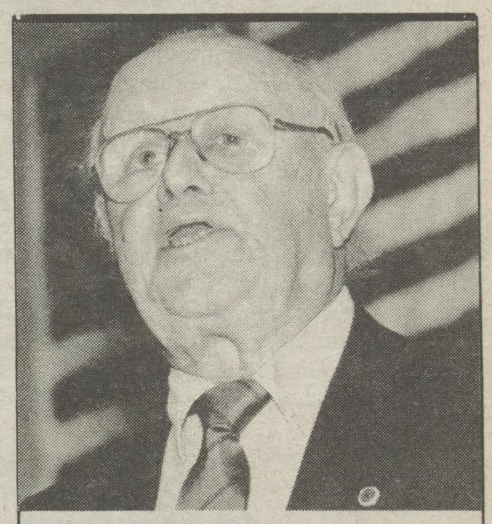
—R. V. Durham
IBT Director of Safety and Health

"We have numerous reports from local unions that these procedures are not being followed and may have resulted in unjust discharges."

—Suzanne Kossan
IBT Industrial Hygienist

"If an individual takes a DOT physical and has a problem, why not provide for him to take a leave of absence and undergo a rehabilitation program?"

—R. V. Durham
IBT Director of Safety and Health



11th Annual Convention A Success

"No one who's lived through as much as old-timers have in the labor movement wants to wind up their years with the feeling that much of what they worked for went down the drain. I want you to know, as long as there's breath of energy in our bodies, we're going to keep making the rounds. And we're counting on you (in TDU) to stay firm and carry on, because the Teamster organization will be returned to the rank and file."

—Victor Reuther, a Founder and Leader of the United Auto Workers

On the evening of Saturday, October 25, over 400 Teamsters from all parts of North America got a lesson in labor history from a man whose life embodies that history. A man who, in the words of TDU member Bill Slater, "epitomizes the struggle for justice and decency." Brother Reuther's keynote address was one of the highpoints of the 11th Annual TDU Rank and File Convention, but it was far from the only one. TDU members from over 30 U.S. states and Canadian provinces converged in Atlanta, Georgia for a weekend packed with education, inspiration and democracy.

For more on what happened at the convention, see pages 6-7.

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From the Members

11th Convention Was "Top Shelf"

Thanks to TDU for another good convention. The American Hotel was not fancy, but the food and service were good and most important, it was UNION! I hope others were satisfied with the turnout, which I felt was great. Our main speaker at the banquet, Victor Reuther, was top shelf. I would also say that we had the better of the two when you compare our convention with the one in Las Vegas. We certainly aren't blessed with any tacky or distasteful pictures of someone being carried around on a sofa chair! Let's keep up the good work.

Marvin Lawson
Local 215
Henderson, Kentucky

Memories of the Early CIO Days

It was a joy for my wife Sofie and myself to take part in TDU's Atlanta Convention. The youthful enthusiasm and social commitment of the delegates brought back memories of the early CIO days. Yours in Solidarity!

Victor Reuther
Washington, D.C.

Right to Vote Is Still Important

The popular election of our union officials on the national level is the single most important issue for us to focus on. Also, in regards to the carhaul contract I think TDU should stress the importance of raising the pay for loading and skid drops. I don't average more than $5.00 for my loading and skid drop time.

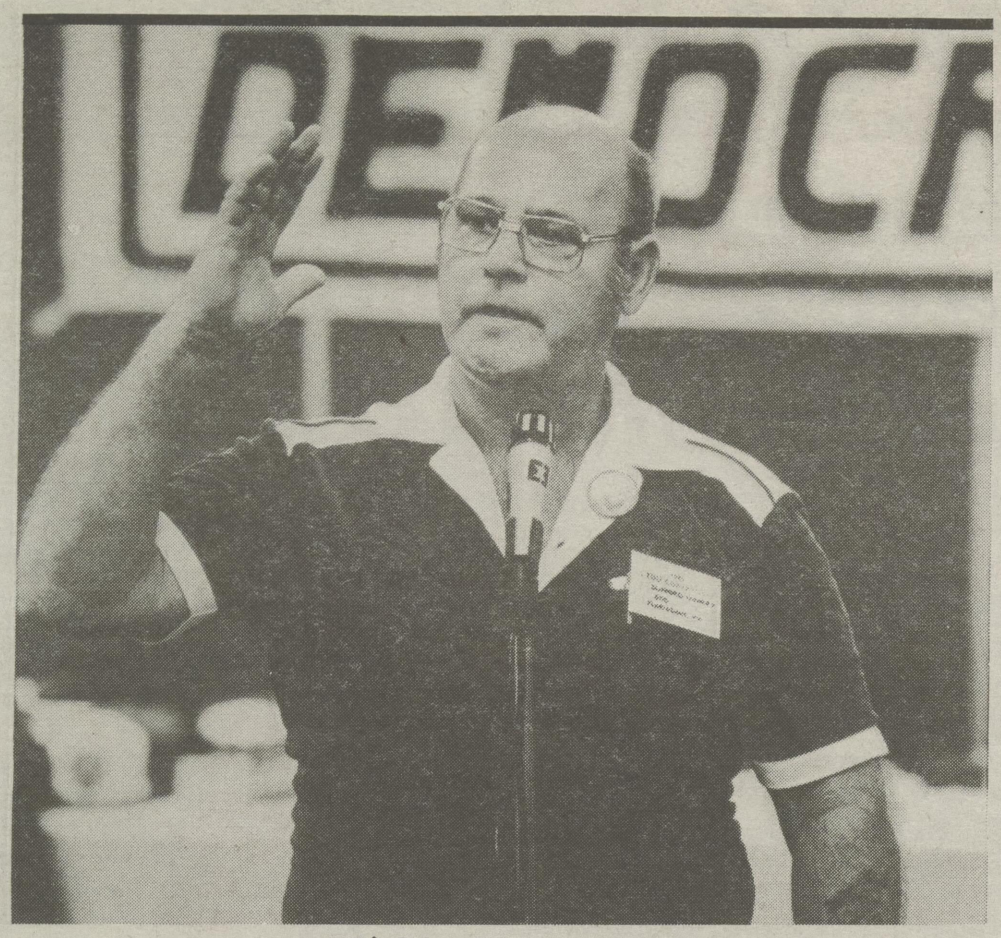
Mitchell Springston
Local 41
Kearney, Missouri

Wife Speaks Out On TDU

I am the wife of a TDU member and just joined TDU myself. I am ashamed that I haven't encouraged my husband more to stand up for what is right, and would like to urge other wives to not hold their husbands back. The TDU Convention was very informative and I was glad that I went. My husband has all my support in his efforts to improve the union and so does TDU. Thanks for all the good information and the enthusiasm my husband has gained through his involvement.

Maureen Mullis
Augusta, Georgia

Protect Your Future – Join TDU



Cliff Coonley

On November 10 the labor movement lost a dedicated participant with the passing away of Cliff Coonley, who had battled cancer for the past year.

Cliff was a member of Teamsters Local 600 in St. Louis for over 30 years, and a steward at OK Trucking. He was also much more: a selfless union member always active in the defense of union principles and goals. He was always ready to join in a picket line or take up a collection for strikers or union members in need, and always present at stewards' and general meetings.

He did not readily join TDU, but checked it out thoroughly first by attending meetings. Convinced that the union he loved needed changes at the top and education at the grass roots level, he joined TDU in 1982. Soon he was elected chairman of TDU Chapter 600, building the chapter up by recruiting many members, including numerous stewards.

Never a union "politician," Cliff supported the officers of Local 600. In 1984, he helped to rally support and get passed a $5 per month organizing assessment. Nevertheless, he kept his independence, and planned this year to run for the office of Trustee, believing that a watchdog was needed.

In 1983, Cliff was elected to the TDU International Steering Committee, and in that position inspired members from coast to coast with his determination, ideas and experience in the labor movement. His many friends in our union will miss him, but his spirit and dedication to the union movement will be carried on.

Cliff is survived by his wife Carol, four children, several grandchildren and his parents.

How To Contact TDU

We want to hear from you. Contact us at one of the locations listed below for more information about TDU, or to send us articles or letters concerning Teamster-related issues.

TDU National Office: P.O. Box 10128, Detroit, MI 48210. (313) 842-2600.

TDU/PROD Washington Office: 2000 P St. NW, Room 612, Washington, DC 20036. (202) 785-3707.

TDU NY/NJ Office: YWCA Building, Room 619, 30 Third Ave., Brooklyn, NY 11217. (718) 834-0631.

Teamster Cannery Workers Organizing Project: Box 8548, San Jose, CA 95155. (408) 289-8415.

TDU Steering Committee

Co-Chairs:
Pete Camarata, #299
Dan Campbell, #486
Joseph Day, #170
Linda Gregg, #435

Organizer:
Ken Paff, #407

Trustees:
John Braxton, #623
Mike Friedman, #407
Doug Mims, #728

Members:
Doug Allan, #208
Millie Grant, (#728)
Diana Kilmury, #213
Tom Pizzuto, #863
Mike Savwoir, #41
Pete Sercombe, #150
Gail Sullivan, #278

Alternates:
Archie Cook, #705
Sam Fenn, #63
Delmar Bequette, #600

MOVING? Please notify us of any change of address. Otherwise you will not receive your *Convoy Dispatch*, as it is sent third class mail and will not be forwarded to you. Use the membership application in any issue of the paper to let us know you are moving, and write on the top of the form: **CHANGE OF ADDRESS.**

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Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers, warehouse workers — every kind of Teamster and spouses too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1986 for one year. Our Rank & File Convention had over 400 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to reform or to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All Business Agents and Stewards should be elected. Vacancies in offices should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining their company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent till proven guilty, right to remain on the job till final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right backed up by our union to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT HOUR DAY AND FIVE DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25 and out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the difference in age, race, and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

Washington Watch

New Law Will Require National Driver's License by 1989

A wide range of safety issues were taken on by the Road Driver Safety and Health Workshop at this year's TDU Convention, from new legislation to the right to refuse unsafe work and the continuing problems with double trailers. High on the list of discussion topics was the new Commercial Motor Vehicle Safety Act, which was enacted just before Congress adjourned.

This law, which was promoted as a way to eliminate the practice of drivers using multiple licenses and discourage the use of alcohol and drugs by drivers, has a number of provisions that drivers should be aware of.

- Elimination of multiple driver's licenses. Effective July 1, 1987 commercial drivers will be allowed to carry only one license. A few states, including Connecticut, are exempt from this until 1989.
- Increased testing of drivers. The law requires the Department of Transportation (DOT) to set up new tests for drivers and more stringent tests for hazardous materials drivers. Also permits the Secretary of Transportation to set up a testing system requiring each driver to earn a certificate of fitness.
- Requirement of a national driver's license by 1989.
- Establishment of a national drivers' information system by 1989. Under this provision, the federal government would set up a system with states to keep an eye on drivers' violations, revocations and suspensions.
- Increased penalties for driver violations. A plan would be set up creating federal violation standards. It would include a provision that drivers' licenses be suspended for one year if they have been caught driving under the influence of drugs or alcohol, left the scene of an accident, or used the vehicle while committing a felony. Drivers who engage twice in reckless driving, excessive speeding, or any violation of state law in connection with a fatal accident will lose their license for 60 days.

Over the next two years the Secretary of Transportation will be issuing regulations and defining terms in the law (such as "excessive" speeding). TDU will be monitoring this process and intervening whenever possible to lobby for increased driver protections.

- Increased funding for safety enforcement. More money will be provided to states to enforce these provisions and increase the number of roadside inspections.

Originally, the legislation proposed that the standard for intoxication be lowered from its current level of .10 to .04. As enacted, the law gives the Secretary of Transportation two years to propose a new level. In addition, the law does not contain one of the worst features of the earlier versions, which required states to carry out random highway testing of drivers for drug or alcohol abuse.

While containing one positive aspect, increased funding for equipment inspections, the new law largely reflects the trucking industry's view that the driver is to blame for the poor safety record of the industry. TDU believes, and the safety statistics show, that the burden of fault lies with the industry due to poorly maintained equipment and driver fatigue caused by drivers being forced to run over the limits.

This attitude was discussed extensively at the road driver workshop as were ideas on how to combat it and bring about real changes in safety enforcement. Clearly, we have our work cut out for us for the coming year, but the TDU Washington Office is dedicated to continuing to work towards better enforcement.

New ISC Member

Diana Kilmury was elected to the TDU Steering Committee at the October Convention. She is a member of British Columbia Local 213, and was elected by that 13,000 member local to be a delegate to the 1986 IBT Convention.

Top Benefit Raised to $1,500

Central States Pension Increases

Increased pension benefits under the Central States Pension Fund have now been confirmed, following six months of rumors and statements by various union officials. Local unions will soon be publicizing changes effective January 1, 1987. *Convoy Dispatch* has been able to obtain information on what the increases will be and who will get them.

Only Teamsters covered by the top employer contribution rate of $61 per week (Class 15) will receive the increased benefits. Even within Class 15, there will be no increases for normal retirement benefits. The 30-and-out, $1000-at-any-age benefit, and the $900 benefit after 20 years of service and 60 years of age will stay as they are.

The new increases will apply to members who work until age 60 (or beyond) and have 25 years or more of service (see chart, this page). Any increase is welcome and long overdue, but it is unfortunate that these are aimed at inducing members to work more years, rather than giving them a decent pension to retire on at a reasonable age. Early retirement programs not only improve the quality of our lives—they also promote more jobs for younger Teamsters. These increases mean that more Teamsters will be working until age 65 and collecting their pensions for fewer years.

Several officers also report that there will be one reduction in benefits. The traditional "13th Check" at Christmas time will not be given this year, except to members who retired before 1978.

There will also be changes in insurance for those over 65, and changes regarding future benefits. Some recent retirees have contacted TDU for help, as they were led to believe there would be no change over the life of the contract. The problem is being looked into.

Pension Benefit Changes

	25 Yrs./ Age 60	25 Yrs./ Age 62	25 Yrs./ Age 65	30 Yrs./ Age 60	30 Yrs./ Age 62	30 Yrs./ Age 65
Contribution Rate of $61/week; $13/day	$950	$1050	$1125	$1050	$1125	$1250
Contribution Rate of $65/week; $13.80/day	$1000	$1100	$1250	$1100	$1250	$1500

Join The $100 Team

"A year ago we needed help on our contract, and TDU was there. Then TDU went to court to protect our contract rights. I pay over $300 a year in union dues, so I certainly can pledge $100 to protect my rights and the future of our union. Think about it—where would we be without TDU?"

Duane Tyler
CAT, Local 568
Shreveport, LA

At the recent Rank and File Convention members donated some $15,000 to the Teamster Rank and File Education and Legal Defense Foundations (TRF), to continue its legal and educational work. We need *your* help too.

___ I pledge $100. My check is attached.

___ I pledge $100 in four monthly pledge payments of $25 contributions.

___ I pledge $100 in ten monthly payments.

I wish to remain anonymous: ☐ yes ☐ no

My name may be listed as a donor: ☐ yes ☐ no

Name _____ Company _____

Address _____ Local _____

City _____ State _____ Zip _____

Washington Office

This page is devoted to news from the Washington office of TDU—formerly PROD's national office. Litigation, designing new legislation, and reforming safety regulations concerning all aspects of working conditions and truck design—the Professional Drivers Council of TDU is here to help you. Contact us today at PROD/TDU, 2000 P Street N.W., Room 612, Washington, D.C. 20036 (202) 785-3707.

Local 175 Slate Wins on Reform Platform

West Virginia Rank & File Make History

Hard work, persistence and dedication have paid off for West Virginia Local 175 members who voted on November 15 to elect a rank and file slate to lead their local. Six members of the Sam Talbert Team slate beat out incumbents after a hard-fought election. Since Local 175's incorporation in 1936 there have been only two presidents and a long line of "handed-down" leadership, making this victory a real "first" for the local.

"Won a Great Victory"

Elected from the slate were Earl Wymer (Recording Secretary), D.K. Wells (Vice President), John Aliff (Trustee), Jerry Parsons (Trustee), Ron Dingess (Trustee), and Randy Atkins (Secretary Treasurer). Due to the running of a third "spoiler" candidate, TDUer and candidate for principal officer, Sam Talbert, lost to Grover Marion by only five votes. Nevertheless, Talbert told *Convoy* "I lost, but feel that I have still won a great victory. We have made history here in Local 175 and I have had a part in it."

Over the last several years Talbert and others in the local built an active TDU Chapter that helped lay the groundwork for the election victory. Through the chapter newsletter they built support and contacts throughout the local, kept members informed, and started to educate on what could be done to reform their union.

The Team is made up of both TDU and non-TDU members. In the campaign they stressed the need for greater democracy in our union and said they would work for the election of stewards, pension trustees and top IBT officers. They also called for the elimination of two-tier wages, election of rank and file bargaining teams and limits on officers' salaries. One of their main stands was the implementation of an organize-the-unorganized program in freight and other jurisdictions.

Local 175 rank and file slate members (from left clockwise) Jerry Parsons, Ron Dingess, Sam Talbert, John Aliff, Earl Wymer, D.K. Wells and Randy Atkins.

Local 175 members made it clear that they wanted representatives who would fight for these union principles. D.K. Wells, newly-elected vice president told *Convoy*, "We are going to work together now as a team, with the members, to learn and to do the job we were elected to do."

Want a $5 an Hour Pay Cut?

Presser's NMFA Sellout Fought

Would you believe that a large profitable carrier under the National Master Freight contract is paying a top rate of $9 per hour and 25c per mile? It's true in Ohio at Churchill Truck Lines, thanks to a deal backed by Jackie Presser and signed by his assistant, Bobby Kavelec.

Members in Cleveland, Columbus and Cincinnati, Ohio are trying to stop this deal, but the going is tough since Presser's man Kavelec is behind the whole thing.

Presser's own "Ghost Local" 507 even refuses (illegally) to give Churchill drivers in that local copies of the contract deal. Nor were any members allowed to vote on the contract.

In addition to wages being $5 below union scale, the deal also has a six-month probation period. In Cleveland, the members have Blue Cross instead of Teamsters Health and Welfare.

Cincinnati Local 100, Columbus Local 413 and Cleveland Local 407 have all told members they want the deal overturned. These locals claim they never signed the sweetheart pact. Local 407, which has all freight Teamsters in the Cleveland area, has made a jurisdictional claim asking that Ghost Local 507 turn the members over, so they can come under the NMFA and have a real union. Churchill is, of course, happy with its nice deal, so the battle continues.

All freight Teamsters have a stake in the outcome of this fight, because if this deal isn't stopped, it will surely spread. Other carriers will certainly want to get in on the bargains given out by Presser.

Freight Lines

New England Freight Teamsters Ask, "Where's the Contract?"

In May, 1985, the new National Master Freight Agreement was ratified. Though many freight Teamsters have been wondering whether some of the new clauses meant anything (like gate to gate pay), most did at least get copies of the new contract. Not so for Teamsters covered under the new England Supplement. Over one year later, Teamsters in the New England states have yet to see a contract. Some TDUers have contacted the Department of Labor over this situation in an effort to get some action. Why the holdup, New England Freight Committee?

Preston Drivers File Libel Suit.

Since November, 1985, Preston in Baltimore has been harassing its city drivers by sending out teams to surveil them and then disciplining them for practices that have been accepted for years, like taking breaks to go to the bathroom. Six drivers fired by Preston as a result of this surveillance have now filed suit alleging that the company libeled them by firing them for dishonesty.

Regular Employees Paid as Casuals?

Not only are the employers illegally inventing a casual road drivers' rate of 28c a mile, in some areas the union is letting them pay the bogus rate to seniority city drivers who pull extra trips on the road. In Jacksonville, Charlotte, Allentown and elsewhere there are numerous reports of this rip-off. In Allentown PIE employees demanded action from their BA after learning the issue had already been won in the Central Pennsylvania grievance procedure, but the BA told them he had a deal with the company and would not take action!

This is what happens when the employers are allowed to break the contract with their fictitious casual road driver rate. They start extending the rip-off as far as possible. If you are affected by the situation, contact TDU for assistance and information on this matter.

Churchill, Jones Truck Lines Defy Contract

VIA Ripoff Continues for Southern Drivers

Thousands of Teamster road drivers in the Southern Conference are having their pockets picked each week, and many are not aware that a binding decision has been made to stop this theft. At issue is a practice by employers of stealing the first half hour of delay time on all VIA runs.

Even the employers' association agrees with TDU that this theft should end. Nevertheless, our union has not been willing or able to stop it. The employer chairman for the Southern Conference Grievance Committee, Rudy Pulliam, sent a memo to all carriers on August 15, telling them to "immediately pay road drivers for delay time waiting to be dropped and/or hooked (no 30 minute free time)." We don't know of anyone getting the back pay for the period of time when it was not paid, thus the carriers effectively stole hundreds of thousands (or millions) of dollars scot-free.

Jones Truck Line (*JTL*) and *Churchill* continue to openly defy the contract, the grievance panel and the union by refusing to pay. Local officials promised members that a *JTL* grievance on the issue would be deadlocked at the Southern JAC in November, but it is not clear if this happened. Officials have also promised it will be deadlocked at the national grievance committee in the spring and then a strike will be threatened against *JTL*. *JTL* Teamsters: do not hold your breath waiting for this! *Roadway* drivers report that some terminals are still not paying properly either.

The problem began in 1985 when Pulliam sent out a memo to all employers telling them that the union had cut a deal to steal the drivers' pay for 30 minutes on each VIA. Later, union officials denied any deal, but it took a number of months to get a ruling on paper out of the panel.

TDU is investigating the possibility of legal action to enforce the contract and the law on this issue. If you are interested or have information that may be helpful, please contact the TDU office immediately.

Right to Vote Legal Update

Two separate cases have been filed seeking the right to vote for Teamster International officials. In January, oral arguments will be heard in the case of *TDU v DOL*. This suit challenges the Labor Department's decision to uphold the delegate selection process used by our union. In the other case, *Theodus v Brock*, legal briefs have been filed that seek a summary judgement on the case (decision without a trial). This case challenges Secretary of Labor Brock's decision not to overturn the "election" held at the IBT Convention in May.

Miami Management Tells It Like It Is

Big R's True Colors Revealed by Memo

"There's a sucker born every minute." That was P.T. Barnum's philosophy for selling the public on his fake exhibits and phony wonders. It also seems to be Roadway's philosophy for selling their "cooperative" labor relations and phony quality teams. Their real intentions came to light again recently in a Miama, Florida internal memo dated October 14, 1986.

We've reproduced the memo here, but would like to offer some suggestions on some of the best ways to deal with Roadway management.

1) Teamsters should keep their "professional distance" from management. They're not your buddies, never will be.

2) If a supervisor takes on another Teamster, he takes on all Teamsters. An injury to one is an injury to all.

3) First names: Never use them. A simple nod of the head or a grunt is all that's necessary to communicate with management.

4) Nicknames: there are several you can use. Be creative.

5) "My supervisor is only doing his job, he's really a nice guy." Your supervisor is under orders to discipline and fire you. That's not very nice.

6) "My supervisor would never try to discipline me unfairly." Yeah, and Jackie Presser is the greatest labor leader in America.

There may be a sucker born every minute, but Roadway's reputation has been bad enough to knock some sense into many people. It's been reported that Roadway is having problems finding people willing to work for them. In some areas they can't even hire people at the 70% new hire rate and are paying 80% and 90% for new hires. The next time you hear Roadway management talking about working together as a team, remember that top management has nothing but contempt for their Teamster employees.

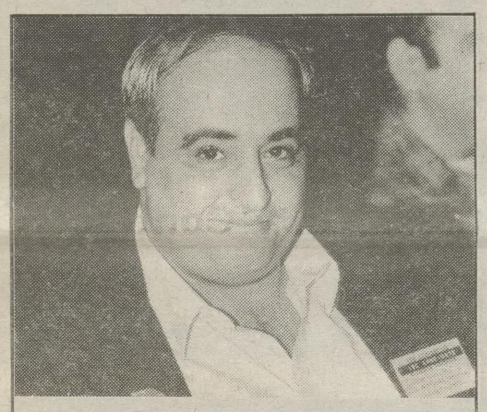
ROADWAY EXPRESS, INC.
Inter-Office Memorandum

To: Supervisors
From: Keith Helton
Office:
Subject: DISCIPLINE/PROFESSIONAL DISTANCE
Date: 10/14/86
Copies:

To make sure there is no misunderstanding about our discipline discussion at Saturday's Operations Meeting, let me reiterate a few items.

1. Every Miami supervisor is expected to maintain his "professional distance" from labor. They aren't your buddies, never will be.
2. If a teamster takes on one Miami supervisor, he takes on every supervisor. He causes problems for one supervisor, he has caused a problem for us all.
3. First names - keep to a minimum. Save this salutation for only the best employees so it will mean something. When I hear a supervisor calling everyone by their first names, I know he is weak. Whenever I have seen this in the past, this style supervisor was always the first to drop by the wayside.
4. Nicknames - None.
5. "He works for me" - This is another sure sign of a weak supervisor. What he is really saying is "I know he usually doesn't work but if I'm nice to him, he doesn't cause me any trouble." A man either works for all of us or none of us. Don't you be the weak link in our chain.
6. "They work for me without issuing discipline, it's not my style." Issuing discipline is my style and will be everyone's style who works for me. If this is a burden, then you had better learn to bear it. There has to be a certain amount of fear for you to be effective. Your workers must be afraid to cross you and afraid to do anything less than follow instructions.

All of you know who our worst performers are. I expect you to confront them and give them discipline. We have yet to win much at the Committee, it has all been won here at the terminal and as a result of your taking situations head on. Any future progress will be made the same way. If any of you have a problem with what I have said above, you need to see me immediately. We have too much yet to be done.



New ISC Member

Tom Pizzuto is a member of Local 863, has been a Teamster for 15 years, presently works for Paul's Trucking and is active in building TDU in New Jersey.

Increased Use of Casuals; Organize the Unorganized

Meeting Targets Freight Issues

Teamsters from all major freight carriers and many regional companies met at the recent TDU Convention to target major issues and set positive plans of action for the coming year. The economic picture of the freight industry was discussed in depth, and the remarkable fact that up to 50% of all freight Teamsters are being paid under scale was brought out.

Stopping Abuse of Casuals

The employers have responded to the swings of the economic cycle by increasing their use of casual employees. They make out by working casuals at the lower scale, with no benefits or union protection. TDU legal action in 1985 forced the employers to admit that 9% of all hours worked under the freight contract were performed by casuals.

A related problem brought up at the meeting was the possibility that the employers will take advantage of this situation in the 1988 contract by sweetening the pot for casuals while taking considerable concessions from regular employees. This tactic was used by Presser and UPS in the last UPS contract.

It was decided to develop a joint campaign between casuals and permanent employees to help beat back management's attempt to pit us against each other.

Fighting Road Casual Rate

Despite the fact that top IBT officials have stated in writing that no road casual rate exists, employers in the South and much of the East continue paying casuals the lower rate. TDUers have been working on this issue over the past year. TDU attorneys contacted the International to determine the status of the many grievances filed over this issue, and the IBT confirmed that the issue was deadlocked at the National Negotiating Committee.

A group of casuals have written to the IBT asking that action be taken to enforce the contract. Three options are open to them, if they choose to act: the International could file a lawsuit for damages, backpay and injunctive relief; they could initiate labor board charges against the employers, or, as stated in the contract, they could selectively strike carriers until the agreed-to wage is paid.

If the International doesn't act quickly, TDU will pursue the issue by filing suit to enforce the contract.

Key to Strong Contract: Organizing

There was nearly unanimous agreement at the freight meeting that major organizing efforts must be launched to save our union in the trucking industry. Many TDU members are active as organizers or as supporters of local drives, and several locals are working to reverse the trend. This must continue and grow. Local unions cannot sit back and wait for Presser to take an interest. He is more interested in raiding other unions than organizing trucking.

One obvious place to start is the non-union subsidiaries of major NMFA carriers. CF has Con-Way, Roadway has Spartan, and so on. TDUers plan to work in local unions to build a coalition of freight locals to organize such targets.

But we also need national campaigns, with major funding and sophisticated techniques, to turn the situation around. At present, with union strength and prestige low, and with sweetheart contracts and new-hire NMFA wage rates below even what non-union Overnite pays, the going is rough.

A month after the TDU Convention, the IBT announced at a meeting in Monterey, California that they would target Con-Way and Spartan, which employ some 2,000 non-union drivers and dock workers, for organizing. This is a start. To suceed it will take major resources and involvement of our members through rank and file organizing committees in local unions.

TDU is determined to work on both the problem of casuals and organizing and to follow through on a campaign to improve and strengthen the NMFA in the 1988 bargaining round.

California Teamsters Uniting

DiSalvo Drivers Fight for Lost COL Money

On November 8 a meeting of DiSalvo Trucking employees was held in Los Angeles to inform Local 396 members about a lawsuit being filed by three line haul stewards—Gene Wright, Sam Soltysiak and Ken Grove. The lawsuit concerns the disappearance of the cost-of-living money, which was deferred in the 1982-5 contract rider but promised to them in 1985, when they voted on a rider to the NMFA.

"We want to send a strong message to management and union officials that we are fed up with their games," Gene Wright stated. All three stewards are TDU members. The meeting was attended by line, local drivers and dock workers. Most of them were not TDU members, but many joined after hearing TDUers Doug Allan, Trustee of Local 208, and Robert Ellerman, also of Local 208, speak about TDU actions and goals.

DiSalvo is California's largest union intrastate carrier, with thirteen terminals. It has lost money in the past but in the first half of 1986 made a net profit, after taxes, of over $1 million, and had an operating ratio of 91% for the second quarter of the year. It is one of four companies under the holding company RWL Investments. The others are Package Delivery Express (mostly non-union), Lawlor Motor Express (non-union), and Tesco, a maker of wind deflectors for trailers.

Further meetings are planned to elect officers and a steering committee for the newly organized DiSalvo Committee of TDU. Meetings will be held in Northern California as well, and DiSalvo employees are reaching out to involve Teamsters at other California carriers, including Peters, Crescent, Sterling and Nielson.

New Addition to Convention

Leadership Session Evaluates TDU's Work

This year's TDU Convention featured a special leadership workshop and evaluation session on Friday afternoon. Some 75 TDU leaders and activists attended the four-hour workshop to evaluate TDU's activity over the past year and brainstorm about future plans. This was the first time a session like this had been conducted. It proved to be popular and produced many ideas on TDU's direction for the coming year.

The session was consistent with the themes of this year's convention, which centered on developing leadership abilities, building local and regional organization and boosting recruitment efforts. Another goal was to get extensive feedback from TDU leaders on TDU's work and then set realizable tasks and goals for 1987.

Right to Vote Still Top Priority

The first part of the workshop was an appraisal of TDU's efforts to win the right to vote on IBT officers. It was agreed that collecting nearly 100,000 signatures was a success, but many workshop participants felt that the petition effort could have been better organized on the local level by chapters and members. There was solid agreement that legal and organizing efforts should be continued until we win the right to vote.

A frank discussion also took place on the IBT Convention and TDU efforts on the floor of the convention to build support for the right to vote and other issues.

Building the Movement for Reform

An organizational report given by TDU staff stressed the importance of building better-organized chapters, more assistance and direction coming from the national office and the need for a recruitment "culture" within TDU. It was agreed that while the organization has had significant successes, more should be done to capitalize on these victories, particularly through recruitment and bringing along new leadership. After more discussion, it was decided that doubling the current membership is within our reach for the coming year.

Convoy Dispatch-Our Best Organizing Tool

A lively discussion took place about *Convoy Dispatch*, with most of the workshop participants agreeing that it is the most helpful tool for organizing and recruiting. There were also many good criticisms of the newspaper, as well as suggestions on how it can be improved. The main thrust of the discussion was that TDU members need to see *Convoy* as their own voice, and that more articles, cartoons and reports should be solicited and encouraged by the national office.

The creativity of the members attending the workshop was brought out by the suggestions raised and then reported on at the Saturday business session of the Convention. What follows is a list of the suggestions.

Recruitment Suggestions

Many excellent ideas were brought out on improving recruitment. Among them was development of a recruitment program over the coming year with a slogan that will help members to become active (any ideas for a slogan name?). Along these lines it was also suggested that we investigate making it possible for people to put their membership dues on their charge cards, and also that regular reports on recruitment be provided to members. Another excellent idea was that TDU produce an audio or video tape to aid in recruitment.

Organizational Ideas

Ideas raised on organization included 1. that educational and leadership training sessions be conducted in as many areas as possible; 2. that in organized chapters specific members become knowledgeable on topics that can help the chapter service members (like workers' compensation, discrimination, etc.); 3. that better communication be developed between the national office and chapters; 4. that a regular membership bulletin be produced to report on ISC meetings, recruitment tips and progress, and chapter news; 5. that pressure be continued on the right to vote issue, and that a fund-raising effort be considered to help with legal costs; 6. campaigns be developed to stress the problems of "second class" Teamsters, like those working part-time, as casuals, in shops and canneries and "70%ers"; 7. start publishing a series of educational pamphlets; 8. consider hiring another organizer at the national office and possibly kick off a "buy an organizer" fund drive. One day's pay from 200 people would make this possible.

Convoy Dispatch Improvements

Many good ideas came out on improving the newspaper, including beginning a drive to increase bundle subscriptions (with the aim of doubling our circulation); changing the paper's masthead so that the word Teamsters is more prominent; possibly eliminating the truck graphic or alternating it with graphics representing other Teamster jurisdictions; continuing and expanding the "As I See It" column; giving more coverage to local chapter activities; and using more cartoons. In general it was felt that *Convoy* should present a vision of the future, and that our goals and dreams should be highlighted.

New Challenges

The leadership session was successful in terms of bringing out suggestions and criticisms that will improve TDU, and our ability to grow over the coming year. Now the challenge is to implement these and other goals in our chapters and nationally. We would also like to get feedback from TDUers not able to attend this year's convention on the ideas raised in this article.

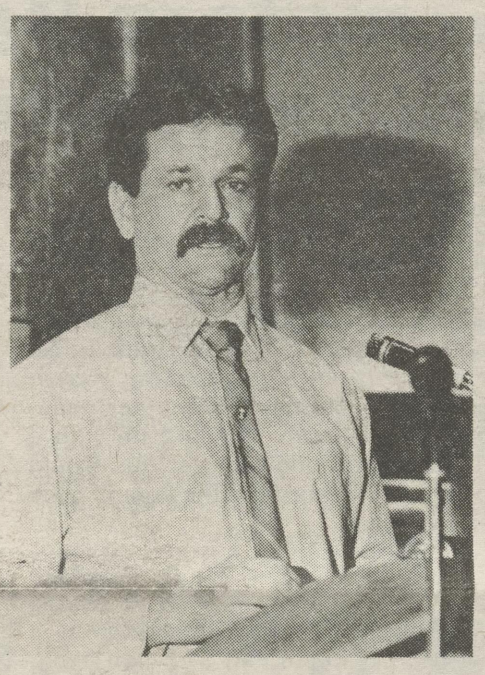
Convention Re

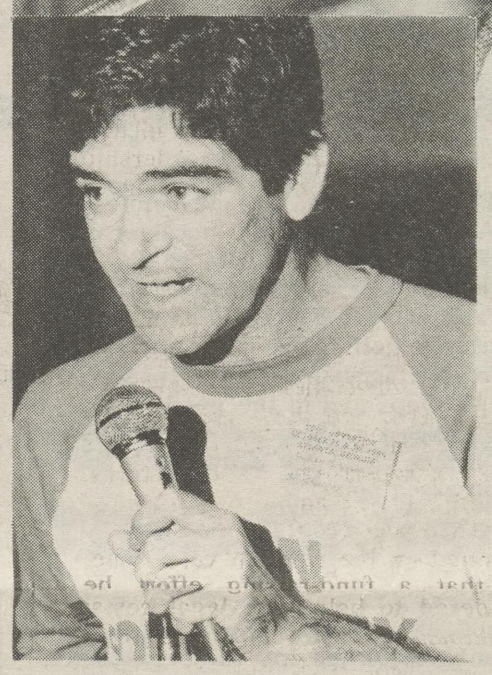
Springfield, Ohio Local 654 KAT driver Al Knisley, above, at the mike. At right, Diana and Roy Ray, were part of the large Denver delegation.

Renews Spirit of Determination

If the strength of an organization is measured by the ability, character and strengths of its members, then the 11th Annual Rank and File Convention has shown that TDU is very strong indeed. We can only feature a few of the 450 members who attended this year's convention, but we hope this centerfold will help convey the spirit, experience and commitment of those who were present.

For the first time ever, the convention took place outside the Midwest, giving many members from the Southeast and South a chance to attend for the first time. Turnout from the Carolinas, Florida, Alabama and Georgia proved that TDU is on the move everywhere. This new energy combined in Atlanta with the experience of longtime TDU leaders and activists to cause a highly successful convention.





Democracy: TDU Steering Committee member and Kansas City Local 41 TDUer Mike Savwoir (above) explains the nomination procedure for the steering committee election.

Far left: Jack Vlahovic, from British Columbia Local 213, addressing the first session. Near left: Mike Rusciano speaking about the fight for reform in New York Local 138.

Presser Watch Auctioned Off: Los Angeles carhauler and TDUer Ernie Cross was one of the proud winners of a Jackie Presser watch, auctioned to raise money for rank and file Teamster educational projects.

New Leadership and New Chapters: This year's election of the TDU International Steering Committee resulted in new voices on our leadership body. Top left: Bay Area Local 278 Business Agent Gail Sullivan was elected to the ISC, as were Millie Grant (wife Local 728 Atlanta), Tom Pizzuto (Local 863, New Jersey) and Diana Kilmury (Local 213, British Columbia). See their pictures on other pages this issue. The election also saw new faces in the co-chair positions, with Saginaw Local 486 TDUer Dan Campbell and Worcester, Massachusetts TDUer Joe Day joining incumbent co-chairs Pete Camarata and Linda Gregg (above).

Recognition for Dedication: An important part of every convention is recognition for outstanding work in building the reform movement. Above: Frances Adcock, Sam Fenn, Konstantine Petros, Jim Cloward, Tom Pizzuto, Doug Mims, Mike Pullen, Ernie Cross and Pete Sercombe receive awards for their hard work.

Fun: Doug Mims gets a surprise birthday cake (right) during the Saturday night banquet.

Elect Atlanta Chapter Leader to ISC

TDU Wives Organize Network

TDU Wives' Committee

This year's TDU Convention was a great success, particularly for the women. It marked the first time that active recruitment of the wives took place. Enthusiasm was at a high point, and the women who attended realized just how important a role they have in TDU.

On Friday night at the wives' reception, Mary Allan from California, suggested we nominate one of us for the TDU International Steering Committee. This idea met with great excitement. We all agreed it had been too long since we had direct representation on the ISC. Millie Grant, a TDU member from Atlanta who has been very active in her chapter, agreed to run. Joyce Mims, also from Atlanta, nominated her.

Then we got to work recruiting the wives who were not yet members. After they learned they are just as important and have just as many rights as the men, they were eager to join. TDU and our union are important to our whole families, and spouses of members should be involved too.

We stressed the importance of having a wife who is an active member on the ISC to all the women, then we went to work convincing the men.

Wives' Workshop

On Sunday morning, there was a workshop for wives in TDU. It was attended by women who are experienced leaders as well as newer women who didn't even know what TDU was about. The purpose of the workshop was to help us realize our potential as leaders in our local TDU chapters. A lot of us didn't realize the day-to-day things we do in PTA, our churches, and so on are the same jobs our TDU chapters need. It starts with the basic support a wife can give her husband by understanding his job and the stress he copes with each day.

Then we broke into groups to discuss the things we could do in our chapters to involve women more and make them realize that they are an important part of TDU. We even did some role playing to demonstrate how to interest women who have never been to a meeting or don't know if they want to join.

After the workshop, the winners of the ISC election were announced, and Millie had won! Imagine how proud we were. All the work we had done paid off.

We went home ready to meet any challenge. As a result of attending the convention and being a part of the wives' caucus, wives are playing much more active roles in at least two new areas: Denver and Philadelphia.

We are now building a Wives' Network and will be writing articles for *Convoy Dispatch* on a regular basis. We also have a means of keeping in contact with each other through the network. Many women may think they don't have anything to contribute. That attitude can only be changed by example. We hope to lead the way.

Members of the TDU Wives' Committee for 1987 are Mary Allan, Los Angeles; Sarah Bequette, St. Louis; Millie Grant, Atlanta; Joyce Mims, Atlanta; Cindy Nichols, Chicago; and Diana Ray, Denver.

New ISC Member

Millie Grant was elected to the TDU Steering Committee. She and other wives have been active in building the Atlanta TDU Chapter.

Local 138 Teamsters Battle Union-Company Collusion, Intimidation

New York City Local 138 President Frank Rubistello is a desperate man. After controlling "his" local for years, disregarding the rights of the membership and never facing an organized rank and file challenge he has gotten used to getting his own way. Rubistello now faces an effective challenge in the shops and in the upcoming Local 138 election. On October 21, the threat of this challenge drove him to the breaking point.

On that day Rubistello resorted to violence by assaulting rank and file leader Mike Ruscigno. This wild and violent attack is just one more move out of a long series designed to intimidate rank and file organization. The difference this time was that because of the rank and file's organization and determination to win back their local, Rubistello's move backfired.

Rubistello attacked Ruscigno after reading an article in the Local 138 rank and file newsletter, *The Bottom Line*. In full view of management Rubistello screamed obscenities at Ruscigno, hit him in the face with the newsletter, then punched him and threw him to the ground.

He then told management to call all employees to the shipping dock where he carried on a 15 minute tirade in his blood-spattered shirt about the *Bottom Line*, TDU, Ruscigno and other members in the local. Winding up with a threat, Rubistello thought this would be the end of rank and file organization at Key Food.

Unknown to him, however, Ruscigno taped the entire event. Ruscigno also had not fought back when he was originally hit, knowing that it was a set-up that would end with him being fired for fighting.

On November 4 Judge Leo Glasser conducted a hearing on the assault which brought to light even more Rubistello's willingness to collude with management against union members. Rubistello brought four Key Food managers as witnesses to back up his lies. He also brought one warehouse worker who later admitted that the company paid him to appear in court.

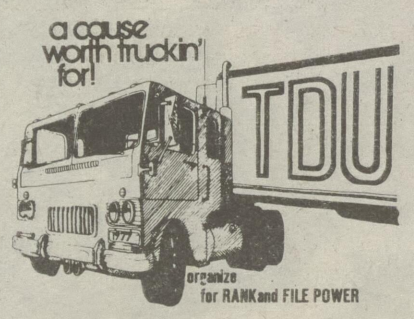
Ruscigno was backed up by two co-workers and his steward. It didn't take the judge long to see through Rubistello's scheme. He ruled that Ruscigno had been attacked to intimidate him from running for office and using his rights to free speech. He then warned Rubistello to refrain from using violence against members and issued the following order: "The defendant is enjoined from infringing the free speech rights of Mike Ruscigno, Eddie Santarelli and any other candidate for union office in Local 138 by attacking, harassing or threatening these individuals."

On November 2 at the nominations meeting Local 138 members made it clear that they would not back down from their rights or from their effort to win back their local. The entire New Beginning Slate was proudly nominated, and now the entire Local 138 membership will have a chance to voice their opinion on the future of their local. No doubt, Rubistello will try other tricks to stay in office, but the judge's ruling will make it far more difficult.

Get your TDU Jacket or Vest

TDU jackets and vests are well-made and durable. They display a Teamster patch and American flag on the front, and the TDU "keep on trucking" logo, shown below, on the back. Jackets are lined and warm, and the vests are perfect for working on the dock on those cold days.

Lined Jackets $22.00
Vests $22.00
Sizes: XL, L, M, S. (Larger sizes available at slightly higher prices.)



I am enclosing $_____ for:

_____(no.) _____(size) Lined Jackets

_____(no.) _____(size) Vests

Name _____ Local_____

Address _____

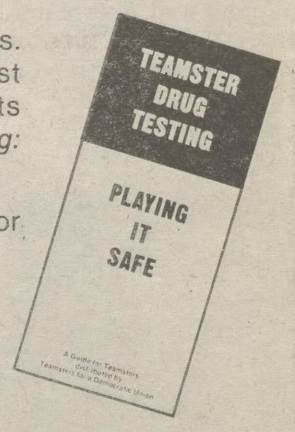
City_____ State_____ Zip_____

Company _____ Phone_____

Mail to: TDU, P.O. Box 10128, Detroit, Michigan 48210

Is Your Job On the Line?

It could be, and not because you use drugs. Dozens of innocent Teamsters have already lost their jobs. Don't let it happen to you. Get the facts from this new brochure, *Teamster Drug Testing: Playing It Safe,* published by TDU.



Price: $1 for 25 copies; $2 for 50 copies; $3 for 100 copies; $2 for each additional 100 copies.

Send me _____ copies.

Enclosed is $_____.

Name _____

Address _____

City_____ State_____ Zip_____

Send to: TDU, P.O. Box 10128, Detroit, MI 48210

Atlanta UPS Meetings Set Contract Plans

Campaign for Dignity and Justice in 1987

UPS Teamsters from across the country met on October 25-26 to hammer out organizing plans and contract demands for the 1987 UPS contract. Over the course of two meetings, in conjunction with the TDU Convention, UPS TDUers made it clear that 1987 would see the largest, most highly-organized campaign for a decent contract ever conducted.

Over 75 representatives, from California to New York and Wisconsin to Florida, were on hand at the meeting. Many newer members were present from the Southeast, taking advantage of the Atlanta location.

Contract Campaign Theme Chosen

The spirit of the meetings was greatly reflected by the name chosen for the 1987 contract campaign: *Dignity and Justice: UPS Contract '87.* The idea behind the name was that it embodied the main issues faced by UPS Teamsters: *Dignity*, because of the issues of production harassment, unjust firings and the need for basic rights like innocent until proven guilty, and *Justice* to emphasize UPS Teamsters determination to rid the contract of union-busting provisions like two-tier wages, diversion of our COLA and expanded use of part-time drivers.

Votes were taken at the meetings to adopt an extensive organizing program which would include literature, educational outreach, a petition drive, motions at local union meetings and publicizing a list of crucial contract demands. A UPS Contract bulletin is now being prepared to report more fully on the demands.

National Contract Mailing

A major new right will be tested by UPS Teamsters during the contract campaign. Thanks to a suit filed by TDU carhaulers Jim Petroff, Joe Day and Jim Carothers, Teamsters will now have the right to mail opposing viewpoints on national contracts to part, or all, of the members affected by the contract proposal.

The right will only be as good as our ability to make use of it. A great deal of discussion at the convention meetings focused on how to raise funds and build support for a mailing. Following a report by attorney Paul Levy on the contract mailing, a vote was taken in favor of soliciting pledges from members in various areas, groups, centers and locals.

Sending a mailing to all UPS Teamsters by first class mail would cost nearly $30,000 (including printing). Bulk postage would be roughly half that amount. It could also be possible to do target mailings to certain areas, a move that would lower the costs somewhat.

UPS Teamsters converged at the TDU Convention to set organizing plans for the 1987 contract.

TDU/UPS Committee member Dan Campbell pointed out how important this mailing could be: "In the past we have done a good job at getting information into the hands of UPS Teamsters. Still, there are a number of crucial areas where members hear almost nothing about the contract until they get their ballot. The chance we have now to do a mailing will change all that."

UPS Division Chair Dan Darrow told local union reps that the IBT will contact local unions in December to start setting up contract proposal meetings. Rank and file members will have to be prepared to raise crucial contract issues at those meetings. The UPS Committee of TDU is ready and prepared to keep UPSers informed and help get organized, but it can't be done without the support of many Teamsters. Use the coupon on this page to order more information about the 1987 contract, to get on our mailing list, and to join TDU.

Management Attends UPS Division Meeting

A national meeting was conducted during the week of November 3-7 in Monterey, California for the UPS and freight division. This was the first national meeting of what is now called the "UPS Division." Beforehand, there was speculation that some details on the upcoming contract negotiations might be revealed.

Representatives from all UPS locals were invited to be present at the meeting. Members should check to see if their officers attended, and if so, what they did there. Also invited to be on hand were UPS management personnel! They gave presentations on the history of UPS and on the bonus/incentive plan. The presence of management at this meeting is an indication of how cozy they will likely be with the International during negotiations.

It was announced at the meeting that the International would instruct local unions in December to begin setting up contract proposal meetings for the early winter months.

Other items covered at the meeting were the contract surveys that will be put out by the International. In addition, a number of committees were formed with representatives appointed to look into issues like dues rates for UPS Teamsters, feeder driver issues, and so on. These committees are to report back to the International in early spring on the results of their work.

A presentation was also given on drug and alcohol testing. Both the national freight and carhaul contracts currently have drug testing provisions (see articles this issue) and it is very likely that the International Union and UPS want to see the same program brought to the UPS contract. This presentation will probably be the first of many to soften up members and officers on this issue.

As contract news is uncovered we will continue to report to you in the *Convoy* and special UPS Contract Bulletins. Make sure you receive all the news by joining TDU today.

UPS and Downs

Hearings Set for Detroit UPSers NLRB Charges.

In response to a series of outrageous violations by Detroit UPS the National Labor Relations Board (NLRB) has accepted and consolidated numerous charges filed by stewards and members. For over a year Detroit management has tried to snuff out efforts by members to get the contract enforced. Two stewards have been unjustly fired, members threatened with discharge for posting literature, interrogations carried out against members producing a rank and file newsletter, bulletin boards shut down and private detectives hired to spy on rank and file meetings.

Despite this open warfare on the part of management, a group of members have persistently stood up for their rights. The recent NLRB order consolidates many of their charges, cites UPS for violating a previous agreement and sets a February 2, 1987 hearing date before an administrative law judge.

Florida UPSers Publish Contract Comparison.

Local 79 UPSers wanted to see just how different UPS contract supplements were around the country, so they did a comparison of the Atlantic, Southern California, Virginia, Pennsylvania and New Jersey Supplements. Items compared included seniority, grievance procedures, discharge stipulations and wages. For your own copy of the comparison, contact TDU.

Illinois, Wisconsin UPSers Hold Contract Meetings.

Members in a number of areas have had contract meetings in their centers to kick off contract organizing plans. Wisconsin Local 344 members in the Janesville center recently held a successful meeting at which a report was given on the TDU Convention and the contract was discussed.

Southern Illinois UPS Local 710 UPSers have also been busy with some early contract preparations. Meetings have been held at a number of centers, and contract demands are being drawn up. These are just two examples of the early activity that is going on to make sure we get a decent contract in 1987.

IBT and UPS, Hand in Hand.

A new brochure published by the IBT UPS Division features two hands clasped on the cover, one with an IBT ring, the other with a UPS ring.

Stay Informed on the UPS Contract

The UPS Committee is dedicated to keeping you informed. Here are three ways you can help us do it:

- ☐ I'd like to be on the Contract Bulletin mailing list.
- ☐ I'd like to join TDU and receive the monthly *Convoy Dispatch* (attach form on page 12).
- ☐ I will distribute bundles of the *Convoy Dispatch*. Send me:
  ☐ 100 ($9) ☐ 50 ($5) ☐ 20 ($4) ☐ $10 ($3)

Name _____

Address _____

City_____ State_____ Zip_____

Convoy Dispatch Editorial on Drug Testing

Serious Problem; Unjust Solution

For over one year, TDU attorneys, staff and members have been investigating the drug testing procedure implemented under the national freight agreement. We have also studied the procedures used in other industries, worked with experts to determine the accuracy of the testing procedures and interviewed dozens of Teamsters who have lost their jobs as a result of the drug testing provisions.

Nobody wants to be soft on drug abuse, especially if it is near the steering wheel of an 80,000 pound rig. Let's face it, drug and alcohol abuse are serious problems faced by millions of Americans. The challenge facing us is why abuse exists and how it can most effectively be prevented.

The bottom line for Teamsters, we found, is that a dramatic injustice with potentially tragic consequences exists. As the drug testing provisions work in freight and carhaul, Teamsters can be fired for the first positive result on a urine test—regardless of any effect on job performance, and without provisions for rehabilitation.

Teamsters have been fired for using perfectly legal, over-the-counter prescription medicines. In fact, Teamsters have been fired who have no history of drug use at all.

No other union member we know of faces this same prospect of being fired for the first positive test result: not air traffic controllers, airline pilots, bus drivers, nuclear power plant operators or even the members of President Reagan's staff. Only Teamsters face this risk.

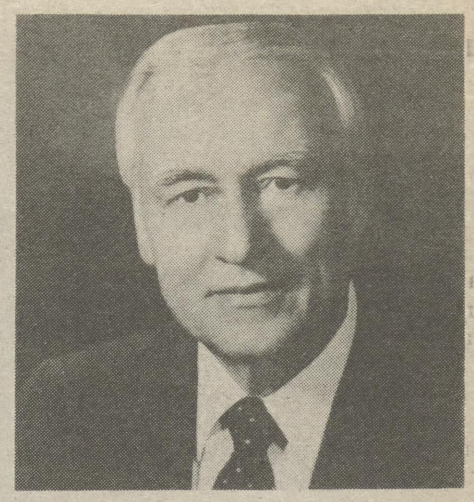
Teamster Drug Testing: Playing it Safe

As you will see in this issue of *Convoy*, even top Teamster officials like R.V. Durham agree with TDU's position that the drug testing program is riddled with problems. In addition, a number of business agents have copied and used our new pamphlet, *Teamster Drug Testing: Playing it Safe*. Many Teamsters tell us this is the first piece of literature to provide accurate information on how to protect themselves from inaccurate testing.

TDUers are among the most safety conscious members in our union, often standing up against tough odds to insure greater safety on our highways. We are also aware that a drug problem exists, and support programs to rehabilitate members with drug or alcohol problems. We are definitely against any programs that give the employers a blank check to fire members due to other motives, like getting rid of top-tier people or members who uphold the contract.

This is why we are fighting Presser's unjust program. In fact, we started investigating it and fighting it before we knew that Presser's own people were recommending the very same changes that we have been proposing.

It would take a book to tell all of the tragedies already caused by this program. In this issue of *Convoy* we have tried to relate some of these stories, all of the facts and information recently uncovered. For more information please use the coupon in this issue to order documents from other sources that will give you more information and help you protect yourself from being a victim of this unjust procedure.



IBT Health and Safety Director R.V. Durham suggested that Teamsters be given the chance for rehabilitation, if found to have drug problems.

Presser Ignored Experts' Advice

continued from page 1

effects have worn off" (*Los Angeles Times*, Oct. 27, 1986). Naresh Jain, chief of toxicology at Ranco Los Amigos Hospital and professor at the University of Southern California Medical School, has testified that at that level, up to 35% of the test results would be inaccurate. In addition to the military, companies like Greyhound and Lockheed have chosen to use the 100 nanogram level (*Los Angeles Times*, Oct. 29, 1986).

Cover-up: The IBT's hired expert, chemistry professor Gottfried Brieger, wrote to Suzanne Kossan on August 4, 1986, that, "It does seem possible to have a positive urine test above our current cut-off of 30 nanograms via passive inhalation (breathing smoke from others)...I would recommend that the cut-off level for THC and metabolites be raised to at least 50 nanograms, perhaps even to 75 nanograms, in order to provide more protection for your members..." Once again, expert medical advice paid for by the union was ignored by Presser.

Many Unjust Firings Have Occurred

Fact: Given the 97% accuracy rate of the tests, and assuming that 80,000 freight Teamsters will eventually take the DOT drug test, 2,400 innocent Teamsters will lose their jobs and be labeled drug abusers.

Cover-up: On July 25, 1985, Kossan wrote again to R.V. Durham, telling him, "We have had numerous reports from local unions that these procedures are not being followed and may have resulted in unjust discharges."

Durham, to his credit, wrote a memo to Presser, Walter Shea and others on July 26, 1985 stating, "I would recommend that the following be done...suspend the testing until appropriate steps are taken to assure everyone that the National Medical Services, Inc. procedures are being followed without exception..." He also said, "we have a serious problem on our hands and I would strongly recommend we give this matter priority attention." Still, nothing was done.

TDU's Suggestions to the IBT Ignored

In December 1985, attorney Barbara Harvey wrote a seventeen page letter to Jackie Presser outlining the injustices of the testing program and listing the scientific evidence. The letter suggested alternatives and solutions in the hope that changes could be made without the need to file a lawsuit. Presser did not respond to the letter, but it was discussed among International officials.

On December 17, Kossan pointed out in a memo that, "The attorney has raised some valid points...which, on the whole, support the concerns we've raised about the NMFA guidelines... this attorney's statement is consistent with other reports we have had that laboratories and employers are not following NMFA procedures and making sure that confirmation tests are conducted.....(S)ome local unions are unfamiliar with the testing procedures and thus not able to represent the employees well through the grievance process."

This appeal was also ignored by Presser, Shea and others. In fact, they then went ahead and made the whole situation worse by lowering the standard of proof needed in order for an employee to be given a "probable cause" test. This move was against the wishes of their own attorney, who stated in a letter on February 10, 1986, "You must consider whether you wish to accept a standard...which is less protective (of the members) than that which the railroad unions are supporting." This fell on deaf ears. Presser lowered the standard from "probable cause" to "probable suspicion."

Don't Bet Your Job on the Promises of Jackie Presser and Rambo

These are the **facts** on the drug testing procedures. Publicity campaigns with Sylvester Stallone are designed to cover up the truth, but the truth will come out. Unfortunately, the truth has already hit home for innocent Teamsters who have lost their jobs. It's not too late to stop this injustice, but it will take some work. We need your help to do it. Join us, pass this newspaper on, order more copies to distribute so that more Teamsters can get informed on this serious issue.

First IBT Women's Conference

"It didn't seem like an IBT conference," one of the participants of the Teamster Conference on Women in the Workplace commented. It was not all backslapping and partying, but instead a working meeting.

November 14-16 marked an important weekend for some 400 members, stewards, business agents, organizers and officers who attended the long overdue, first of its kind conference. Approximately 300 women and 100 men attended the conference, which was held in Dallas, Texas at the Hyatt Regency hotel.

Health care, clerical, airlines, trucking and industrial sector jurisdictional meetings were held. Some of the workshop topics were childcare, pay equity for women, sexual harassment, and organizing the unorganized. A number were good, bringing up discussion on issues that are important to Teamster women.

While this conference was a success and an image builder for Jackie Presser, it needs to be said that holding it in a union hotel would have helped his image more. So would having childcare for the conference attendees.

These shortcomings could be corrected at the next Teamster Conference on Women in the Workplace. And indeed, there should be another. This was an important first step and should be the first in a long line of conferences meeting concerns of today's working women.

Documents on Drug Testing

A number of excellent pamphlets, articles and brochures are available to give you more information on the issue of drug testing. Order one or all of these:

- **Teamster Drug Testing—Playing it Safe.** A brochure on your rights by TDU. See the ad this issue to order copies.
- **Guide to Fighting Unfair Drug Testing Programs.** This 37 page booklet from the Service Employees International Union (SEIU) includes material on stopping unilateral programs in the public and private sector, negotiating safeguards and establishing constructive assistance programs as alternatives. Order from SEIU Research Dept., 1313 L St. NW, Washington, D.C. 20005.
- **Model Drug Testing Language.** Prepared by TDU attorney Barbara Harvey. Order from TDU. Price: $1 for copying and postage.
- **Internal IBT memos on drug testing.** The documents highlighted in these articles on drug testing showing IBT experts' criticisms of the program. Send $2 to TDU for copying and postage.
- **Reprints of the Los Angeles Times** four part series on drug testing. Order reprints by calling 1-800-538-4637 (ext. 5778).

They Said: "It'll Never Happen to Me"

If you think you won't be affected by unfair drug testing, read these case histories. We have not included the victim's names, because this system labels innocent people as drug abusers, and we won't compound the damage already done.

Art

Roadway driver with over 13 years safe driving and no history of drug or alcohol abuse. Regularly took prescription drugs for hypertension. Tested positive for marijuana, below level defined by armed forces as positive, on drug test done with DOT exam on urine sample only. Discharged on test result alone, for "using narcotics."

Business agent admitted he had no experience in drug test cases and had no idea what he could do to help him. He failed to demand that the company produce the documentation required by the testing protocol. He failed to realize the independent drug test that Art had obtained to challenge the company's report was not useful evidence, because it had not screened for marijuana, although the same sample could have been rescreened for a full spectrum of substances, including marijuana. Greivance denied. Unable to find another job, having record as drug abuser.

Brad

A Roadway driver with 14 years seniority, also discharged solely on basis of urine test positive for marijuana below level recognized by armed forces. Taking mepergin fortis by prescription for back injury. On medical leave at time of DOT physical. Mepergin fortis is recognized as a "false positive" for marijuana.

Brad's BA, also unfamiliar with drug testing, failed even to demand a copy of the laboratory report and forensic expert opinion, both required by the testing protocol. Brad discovered after the hearing that the tests were done by a laboratory not approved under the NMFA. Grievance denied. Working non-union, family to support, sending kid to college, trying not to lose house, took out second mortgage.

George

George also took DOT physical exam while off duty from Roadway. No history of drug abuse. Had taken two of wife's propoxyphene capsules for back pain caused by work as road driver one or two days before exam, while off duty. He had called dispatcher before taking capsules, to be sure he would not be called to work that day or next day. Discharged solely on basis of drug test results showing trace amounts of propoxyphene in urine. BA presented case without demanding lab report or forensic expert opinion. Grievance denied, apparently because prescription was his wife's rather than his own. Life has completely disintegrated; unable to find another job, family to support.

John

A Yellow Freight dock worker ordered to submit to drug testing under the "probable cause" provision of the contract. Employer had no cause at all; had called hospital to schedule drug test at the time John reported to work (before any "abnormal" behavior could have been observed). John consulted a steward who had the good sense to say he didn't know enough about the new drug testing program to advise him whether he was required to submit even when employer does not have probable cause; suggested John call a more knowledgeable steward. John told employer he needed a little more time to check with the union. Instead, John was immediately fired and escorted off premises.

John immediately telephoned the other steward, who told him to call back immediately and offer to take the test. He did, but the company refused to reconsider. He immediately had himself tested, at same hospital where company had scheduled him to be tested. Test results: negative. He submitted the negative test results to his grievance panel. Grievance denied.

Walt

PIE road driver with many years seniority and 8 years safe driving awards, discharged after very low positive result for marijuana on biennial exam. Although the test was well below that used to signify positive by the armed forces, he was fired. His BA said he had "no chance" of winning a grievance. Walt went to a local hospital and was tested again with a slight positive. In discussion with the doctor he learned that being in the same room with a marijuana smoker could produce such a reaction. He had in fact been exposesd while playing pool with a relative. When he went to the grievance panel he was denied the right to bring the hospital doctor as an expert witness and his discharge was upheld.

Carhaul Continued

continued from page 12

drug testing program in carhaul suspended until the membership has had time to vote on it. Carothers told *Convoy*, "There are two issues here, the right to vote on major changes in our contract and the wisdom of giving management immediate discharge power through faulty tests and enforcement mechanisms."

Day pointed out, "We might not even have known the problems with this highly technical program without the investigation TDU has carried out on the freight program. Besides protecting our right to vote, we hope this suit will produce a good positive dialogue in the industry and result in the establishment of a humane program for Teamsters with substance abuse problems."

The lawsuit is being handled by TDU attorney Barbara Harvey.

Bay State TDU Organizing

Following on the heels of the TDU Convention, Eastern Massachusetts TDUers kicked off an effort to build a chapter in their area. An organizational meeting took place on November 8, with repesentatives from six Rhode Island and Mass. locals. Plans were set for a January 10 general meeting with a guest speaker (see notice in meetings column). Currently there are chapters in Worcester and Western Mass. Congratulations to these Boston area and South Shore TDUers for getting things rolling in their area.

GroceryBag

Ft. Wayne and Xenia Super Valu Ratify Contracts.

Xenia, Ohio Local 957 and Fort Wayne, Indiana Local 414 have both fought for and won new contracts with Super Valu and Food Marketing. Members at Local 957 had been working without a contract since last spring, while members at Local 414 had been on strike since August.

Local 957's contract has a $650 bonus in the first year, wage increases of 35 cents in the second year, 30 cents in the third and fourth. The company will also increase its contributions to the Central States Pension Fund. Unfortunately, the contract also expands a two-tier wage scale for new hires, and the use of casuals.

Local 414 got a 30 cent increase in the first year, and 40 cent increases in the second and third. Their contract also implements a company proposal for a 4-day, 10 hours a day work week. Local 414 officials reportedly did not recommend the contract as it did not include amnesty for eleven members fired and six suspended for alleged picket line violence. Instead, these cases will all go to arbitration.

Bad Deal for Mississippi Kroger Teamsters.

Mississippi Local 891 has, to our knowledge, by far the weakest of any of the Teamster contracts with Kroger. Full-time drivers make $7.75/hour, while full-time warehouse workers make $6.50/hour. There are lower wage rates for casuals, and new hires are paid 90% for their first twelve months. That's not all—the contract has no COLA or sick leave, and only five paid holidays per year. The most vacation anyone gets is two weeks a year, after three years of employment.

Update on Grocery Profits.

Teamster grocery companies have varying levels of profits in the third quarter of 1986. Borman Foods increased its profits by 116% from the same time last year. The *Wall Street Journal* reported that this was due to "favorable labor agreements" and increased sales.

Kroger profits were temporarily down because of a special after-tax charge they had to pay after selling off some of their operations and closing others. They still increased profits (by 2.2%) on their operations which stayed in business. Lucky and Safeway profits were down from the third quarter of 1985, due to factors such as corporate raiding attempts. If you would like more information on how your company is doing financially, contact the TDU national office.

TDU Meets

Atlanta
Saturday, December 6
7:30 pm
College Park Fire Department
Sullivan Road
College Park, GA

Chicago
Sunday, December 7
11:00 am
Caesar's Quality Inn
79th St west of Cicero Ave
Burbank, IL

Detroit/Pontiac/Toledo
Educational Workshops on Drug Testing and Pensions
Saturday, December 6
10 am - 1 pm
Special UPS meeting at 1 pm
Holiday Inn, I-75 at Eureka

Eastern Massachusetts/Rhode Island
Saturday, January 10
11 am
VFW Hall
Chilson Road
Mansfield, MA

Kansas City
Saturday, December 13
1 pm
Adams Mark
(I-70 at Sports Complex)
Kansas City, MO

New Hampshire
Saturday, December 6
9:30 am
American Legion
Steven Buswell Post #54
Bedford, NH

Southern Illinois
Sunday, December 14
Noon (or right after union meeting)
Decatur, Illinois
(call 309-342-2529 or 313-842-2600 for location)

Jim Guyette's Speech to the TDU Convention

"Labor Movement is at a Crossroads"

A featured speaker at the TDU Convention was Jim Guyette, a leader and elected president of the Austin, Minnesota Local P-9 strike against Hormel. The P-9 members took a courageous and creative stand against the union-busting stance of Hormel, and eventually, against the opposition of their internatonal union. This is a portion of Guyette's speech, in which he explains the fight against Hormel and the state of the labor movement.

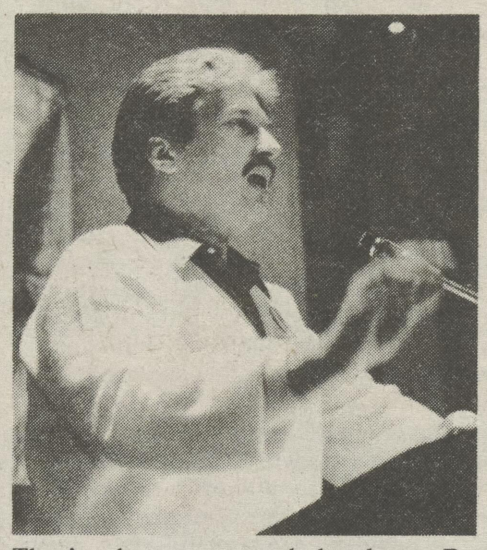
I looked at your booklet, *Facing the Future: The Teamsters Union at the Crossroads*. I think that it can be a statement for the entire labor movement, because to me the entire labor movement is at a crossroads.

We are in a fight not because we want to be, but because we have to be. We tried to avoid the fight, and we couldn't. They hired unionbusters. They had a long-range goal of breaking the union, which is part of breaking the whole solidarity network throughout the United States and abroad, and we're fighting to stop that.

The issues of our struggle were very simple. We asked for the same contract that we were working under eight years ago when we helped management build the plant. We took money out of our paychecks to help them build the plant.

We also asked for safety in the plant, and for some dignity in the plant. We also asked for a fair grievance and arbitration procedure, because management overloaded the system, figuring that they had legal beagles with nothing to do but take cases to arbitration they had a fifty-fifty chance of winning. But economics was not the main issue. It was the dignity issue. Our plant was made up of over 1,200 people, most of whom never belonged to a union before. Management turned them into some of the most militant trade unionists around.

But democracy's a funny thing—when people understand what democracy is all about, everybody wants it.



That's what our struggle has been. By the way, I'm under a federal judge's orders not to talk about the boycott, so it's on behalf of the Austin United Support Group that there's a boycott.

But on top of that, the injury rate in the Austin plant was probably the key thing that galvanized people together, that said we aren't gonna take it anymore. Our plant is the newest, most modern plant in the industry. It's got robots—robots that grab people instead of bacon and stick them into bacon-press machines.

In industrial America in 1984, the last full year in the plant (we've been out for 14 months), the injury rate was 8 injuries per hundred workers. The industry rate in meatpacking, average, was 33 injuries per 100 workers. The injury rate in the Austin plant alone was 202 injuries per 100 workers. The company paid over five million dollars out in workers' comp costs in 1983, over six million in 1984 and nearly seven million in three-quarters of the year in 1985. They didn't care, because they figured we'll retrain these people, we'll put them to work frying hamburgers at McDonald's and then we'll be rid of them. We'll let society take care of them.

And then, when we started analyzing more about the company we understood what they were all about. They were asking for concessions from workers in Iowa while at the same time building new factories in Mexico and acquiring two key industries in South Africa. They pay those people 20 to 40 dollars a week, the people in Mexico 8 to 9 dollars a day, and then tell us they needed to cut our wages in order to compete. Compete with who? Is that who we're going to compete with? We give concessions and they export our jobs.

People in America think that, "Oh, there's that struggle over there in Minnesota, that other struggle in California, or in New Jersey—but it'll never happen to me, because the company's a good company, or my union will fight for me. It will never happen to good old me." Wrong. That's the same kind of thinking that meant in pre-war Germany the German people could sit around and let the atrocities be committed to other people without saying a word.

That's exactly the thinking that we need to break down. And what better organization to break it down than Teamsters for a Democratic Union. What better organization to break it down than working people.

You know, there's a domino theory going on. Our wages, our benefits, our standard of living are the dominoes. It's all going downwards, and we've got to reverse the trend. And it's n to talk to people like yourselv because there are three kinds people in this world: those who w things would happen, those who ma things happen, and who wonder wh happened. There's too many peo who wonder what happened, and y people are the shakers and the mov who make things happen.

We intend to win this struggle, we want you to know that it's struggle that's going to be waged a won on behalf of all of us. You kn corporation heads put their pants the same way we do every morni one leg at a time. We see this th getting bigger. And it's almost like movie *Butch Cassidy and the S dance Kid*, when Butch and S dance were on the cliff, looking ba and the cloud of smoke kept follow them, they said, "Who are th guys?" Well, that's what the compa is saying about us: who are th guys? But it isn't just us guys Minnesota. It's people like yourselv people in the trade union movemen

And I'll end with this story, whic think says really where the la movement is at and what we need do. There was a boy who fell in a ho He couldn't get out of the hole, tried to climb out, and he called up help from the hole. A guy came by a said, "I'll help you get out of the ho I've got a rope at home." So he home to get his rope and he ca back, but the rope was five feet short. The boy couldn't get Another guy came and he said same story, "I got a rope at home, bring it back and get you out of hole." Well, the rope was three f too short. Then a third guy came, he got a rope at home, and he dropp it down the hole, but the rope was foot too short. And the little boy had call up and holler, "Tie your rop together." That's what we need to in the labor movement—tie our rop together. We're going to tie the rop together and then we're going to the knots around the Hormel corpo tion. Thank you.

We Mean Business

TDU is on the cutting edge of rank and file unionism. We are proud of our accomplishments and successes. We are here to stay and many victories lie ahead, but we need to escalate the struggle for democratic unionism. If you agree, how about doing your part? It's as easy as filling in this coupon to join TDU. You'll be part of the solution.

TDU Membership Application

Name_____ Local Union #_____

Address_____

City_____ State/Prov._____ Zip_____

Phone_____ Company_____

City☐ Road☐ Dock☐ Clerical☐ Warehouse☐
Construction☐ Production☐ Other_____

☐ $25 membership fee—for one year's membership & subscription to **CONVOY DISPATCH.**
☐ $60 three year membership fee. ($10 of this shall be rebated to the local chapter.)
☐ $15 annual dues for spouses, retirees, and Teamsters who gross less than $12,000 a year.

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210
(TDU membership is kept confidential from employers and union officials.)

Carhaulers Set 1987 Organizing Plans

Carhaulers from every conference met at the TDU Convention and agreed it is time to lay the foundation for a push to influence bargaining on the 1988 contract. Elected to lead the effort were Conference co-chairs for the Carhaulers Coordinating Committee: Bill Haley, steward for Dixie owner-operators in Virginia Beach Local 822; Jim Carothers, Local 299 steward for CCI Dearborn; and Sam Fenn, steward for Hadley Auto Transport in Southern California Local 63. They will work with Joe Day of Framingham Anchor, who is serving as a co-chair of the TDU International Steering Committee.

The distribution network which allowed us to communicate during the last contract is being computerized and expanded. The network's first job will be distribution of special carha bulletins which will allow more cov age of news and discussion of issue The first bulleting will include ne from CCI Chicago, CAT Morain Dixie in Portsmouth and Baltimo Jack Cooper in Kansas City, CCI Phoenix, as well as info on pensio and on industry profits. Let us kn right away about news from your are A follow-up national planning meeti will be held in late spring. TDU has s a goal of 200 new carhaul members May to broaden the foundation a financial base of this effort.

Suit Filed to Win Vote on Drug Testing Provisions

Jim Carothers and Joe Day ha filed suit in an effort to have the ne

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